

# Notice of Allowability

Application No.

10/055,159

Examiner

TISHA D. LEWIS

Applicant(s)

BOWMAN, LARRY W.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received on May 26, 2004.
2. ☒ The allowed claim(s) is/are s 1-5, 7, 9, 10, 12, 13 and 16-20.
3. ☒ The drawings filed on January 23, 2002 and July 15, 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

The following is a response to the amendment received on May 26, 2004 which has been entered.

#### ***Response to Amendment***

Claims 1-5, 7, 9, 10, 12, 13 and 16-20 are pending in the application. Claims 6, 8, 11, 14 and 15 have been cancelled.

-The 102(b) rejection of claim 13 has been withdrawn due to applicant amending claim 13 with cancelled claims 14 and 15. Claim 13 is now patentable over the prior art used in the rejection (Iijima et al '564 and Chung '018).

-The 103(a) rejection of claim 13 has been withdrawn due to applicant amending claim 13 with cancelled claims 14 and 15 in which claim 13 is now patentable over the prior art used in the rejection (see response to arguments below).

#### ***Response to Arguments***

Applicant's arguments, see page 7, filed May 26, 2004, with respect to the combination of Knobloch et al in view of Fukui being destroyed by a further combination of Rosen to meet the gearing structure limitations have been fully considered and are persuasive. The 103(a) rejection of claim 13 has been withdrawn.

#### ***Allowable Subject Matter***

Claims 1-5, 7, 9, 10, 12, 13 and 16-20 allowed. The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose or render obvious a motivation to provide for:

Art Unit: 3681

-(As to claim 1) an electronic drive unit assembly for a heavy duty vehicle having a spider directly supported by an output shaft of an electric motor mounted within a non-rotating spindle chamber with the shaft coupled to drive a wheel hub supported on at least one bearing in combination with an inner ring gear mounted to a spindle and an outer ring gear mounted to the wheel hub, a plurality of planet gears mounted to the spider in bores wherein an inner planet gear is in engagement with the inner ring gear and the outer planet gear is in engagement with the outer ring gear on opposite ends of a pinion shaft.

-(As to claim 13) an electronic drive unit assembly for a heavy duty vehicle having a reduction gear assembly with inner and outer gears forming a plurality of gear pairs rigidly mounted on a common shaft driven by an output shaft of an electric motor to drive a wheel hub in combination with the motor being mounted within an interior spindle chamber of a non-rotating spindle, a wheel hub supported by at least one bearing defining a interior hub chamber and the reduction gear assembly further including an inner ring gear mounted to the spindle and an outer ring gear mounted to the wheel hub.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3681


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TISHA D. LEWIS whose telephone number is 703-305-0921. The examiner can normally be reached on M-Thur 8 AM TO 3 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHARLES A. MARMOR can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tdl  
July 19, 2004

  
TISHA LEWIS  
PRIMARY EXAMINER  
Au 3681 7/19/04